

LAW OFFICE OF TODD D. LERAS

Todd D. Leras, CA SBN 145666

455 Capitol Mall, Suite 802

Sacramento, California 95814

(916) 504-3933

toddleras@gmail.com

Attorney for Defendant

JOSE LOPEZ ZAMORA

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSE GUADALUPE LOPEZ-ZAMORA,
LEONARDO FLORES BELTRAN,
CHRISTIAN ANTHONY ROMERO,
JOAQUIN ALBERTO SOTELO VALDEZ,
ERIKA GABRIELA ZAMORA ROJO, JOSE
LUIS AGUILAR SAUCEDO, and ROSARIO
ZAMORA ROJO,

Defendants.

Case No.: 2:21-cr-007 DAD

AMENDED STIPULATION AND
[PROPOSED] ORDER CONTINUING
STATUS CONFERENCE AND
EXCLUDING TIME UNDER THE SPEEDY
TRIAL ACT

Date: March 28, 2023

Time: 9:30 a.m.

Court: Hon. Dale A. Drozd

Plaintiff United States of America by and through Assistant United States Attorney David

Spencer, and Attorney Todd Leras on behalf of Defendant Jose Lopez Zamora, Attorney

Christopher Cosca on behalf of Defendant Leonardo Flores Beltran, Attorney Kresta Daly on

behalf of Defendant Christian Romero, Attorney Michael Long on behalf of Defendant Joaquin

ORDER CONTINUING STATUS
CONFERENCE

1 Sotelo Valdez, Attorney Jennifer Mouzis on behalf of Defendant Erika Zamora Rojo, Attorney
2 Dina Santos on behalf of Defendant Jose Aguilar Saucedo, and Attorney Shari Rusk on behalf of
3 Defendant Rosario Zamora Rojo, stipulate as follows:
4

- 5 1. This matter is set for a status conference on March 28, 2023. Defendants move to
6 continue the status conference to June 27, 2023. A previous version of this
7 stipulation (ECF Document 438) inadvertently omitted Defendant Leonardo Flores
8 Beltran. Defendant Flores Beltran joins in the request to continue the status
9 conference.
10
- 11 2. This case alleges the existence of a drug distribution conspiracy involving, among
12 other substances, fentanyl, cocaine, and methamphetamine. The Drug Enforcement
13 Administration's investigation included controlled purchases of various controlled
14 substances and the use of Court-authorized wiretaps on telephones associated with the
15 drug distribution conspiracy, including a phone being used to coordinate deliveries
16 from Mexico.
17
- 18 3. This matter was originally assigned to Senior United States District Judge Morrison
19 C. England, Jr. On November 9, 2021, Chief Judge Mueller reassigned this matter to
20 United States District Judge John A. Mendez (ECF Entry 226). On March 3, 2022,
21 the United States filed a Superseding Indictment (ECF Entry 276). The Superseding
22 Indictment included, among other changes from the original Indictment, expansion of
23 the date range for the charged conspiracy by approximately one year. It also added a
24 money laundering conspiracy and heroin distribution charges. On April 19, 2022,
25 Chief Judge Mueller reassigned the matter to United States District Judge Troy L.
26
27

28 ORDER CONTINUING STATUS
CONFERENCE

- 1 Nunley due to Judge Mendez's change to senior status. (ECF Entry 317).
- 2 4. On August 5, 2022, Chief Judge Mueller, based on express consideration of the
- 3 equitable distribution of caseloads, reassigned this matter to this Court for all future
- 4 proceedings. (ECF Entry 357). On October 11, 2022, Attorney Martin Tejeda filed a
- 5 Motion to Withdraw as Counsel of Record for Defendant Erika Zamora Rojo (ECF
- 6 Entry 382). This Court heard and granted the motion to withdraw on October 25,
- 7 2022. (ECF Entry 393). The Court granted a substitution request allowing Attorney
- 8 Jennifer Mouzis to represent Defendant Erika Zamora Rojo as appointed counsel in
- 9 this matter on December 5, 2022. (ECF Entry 408).
- 10
- 11 5. The discovery in this case is voluminous, consisting of approximately 7,800 pages of
- 12 reports, transcripts, photographs, and other materials produced during the
- 13 investigation. The intercepted telephone calls alone comprise hundreds of hours of
- 14 conversations between various participants in both English and Spanish. On January
- 15 19, 2023, this Court approved the appointment of Discovery Coordinating Attorney
- 16 John C. Ellis to assist with the discovery materials produced by the government.
- 17 (ECF Entry 426). During the first week of March 2023, Mr. Ellis produced to
- 18 defense counsel flash drives containing the complete discovery materials produced to
- 19 date along with various tools to assist in accessing them. On March 21, 2023, defense
- 20 counsel received an email invitation to participate in training to use the tools and
- 21 programs needed to access all the discovery materials contained on the flash drives.
- 22
- 23 The training has not yet been scheduled.
- 24
- 25 6. Defendants Lopez Zamora and Sotelo Valdez are housed at the Wayne Brown
- 26
- 27
- 28

- 1 Correctional Facility (WBCF) in Nevada City, California. WBCF is approximately
2 sixty-five miles from downtown Sacramento. Attorney travel for client visits is
3 therefore a necessary part of discovery review and defense preparation in this case.
4 In addition, WBCF restricts attorney use of electronic devices, requiring facility pre-
5 approval and assignment to a specific visiting area before access to audio and video
6 evidence during client meetings is permitted. These restrictions complicate review of
7 recorded portions of the discovery with Mr. Lopez Zamora and Mr. Sotelo Valdez.
8
- 9 7. All defense counsel require additional time to continue review of the discovery
10 materials with their respective clients and to conduct defense investigation stemming
11 from them.
12
- 13 8. Given the continuing defense review of the discovery materials and investigation of
14 matters related to them, Defendants request to continue the status conference to June
15 27, 2023. They further move to exclude time between March 28, 2023 and June 27,
16 2023, inclusive, under Local Code T-4. The government does not oppose the request.
17
- 18 9. All defense counsel represent and believe that failure to grant additional time as
19 requested would deny Defendants the reasonable time necessary for effective
20 preparation, considering the exercise of due diligence.
21
- 22 10. Based on the above-stated facts, Defendants jointly request that the Court find that the
23 ends of justice served by continuing the case as requested outweigh the best interest
24 of the public and the Defendants in a trial within the time prescribed by the Speedy
25 Trial Act.
26
27

1 11. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et*
2 *seq.*, within which trial must commence, the time period of March 28, 2023 to June
3 27, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), and
4 (B) (iv) [Local Code T-4] because it results from a continuance granted by the Court
5 at Defendants' request on the basis that the ends of justice served by taking such
6 action outweigh the best interest of the public and the Defendants in a speedy trial.
7

8 12. Nothing in this stipulation and order shall preclude a finding that other provisions of
9 the Speedy Trial Act dictate that additional time periods are excludable from the
10 period within which a trial must commence.
11

12 Assistant U.S. Attorney David Spencer, Attorney Christopher Cosca on behalf of
13 Defendant Leonardo Flores Beltran, Attorney Kresta Daly on behalf of Defendant Christian
14 Romero, Attorney Michael Long on behalf of Defendant Joaquin Sotelo Valdez, Attorney
15 Jennifer Mouzis on behalf of Defendant Erika Zamora Rojo, Attorney Dina Santos on behalf of
16 Defendant Jose Aguilar Saucedo, and Attorney Shari Rusk on behalf of Defendant Rosario
17 Zamora Rojo, have reviewed this stipulation and proposed order and authorized Todd Leras via
18 email to sign it on behalf of their respective clients.
19

20 DATED: March 21, 2023

PHILLIP A. TALBERT
United States Attorney

21
22 By /s/ Todd D. Leras for
23 DAVID SPENCER
Assistant United States Attorney

24 DATED: March 21, 2023

25 By /s/ Todd D. Leras
26 TODD D. LERAS
Attorney for Defendant
JOSE LOPEZ ZAMORA

27
28 ORDER CONTINUING STATUS
CONFERENCE

1 DATED: March 22, 2023

2 By /s/ Todd D. Leras for
3 CHRISTOPHER COSCA
4 Attorney for Defendant
LEONARDO FLORES BELTRAN

5 DATED: March 21, 2023

6 By /s/ Todd D. Leras for
7 KRESTA N. DALY,
8 Attorney for Defendant
CHRISTIAN ROMORO

9 DATED: March 21, 2023

10 By /s/ Todd D. Leras for
11 MICHAEL D. LONG,
12 Attorney for Defendant
JOAQUIN SOTELO VALDEZ

13 DATED: March 21, 2023

14 By /s/ Todd D. Leras for
15 JENNIFER MOUZIS
16 Attorney for Defendant
ERIKA ZAMORA ROJO

17 DATED: March 21, 2023

18 By /s/ Todd D. Leras for
19 DINA SANTOS
20 Attorney for Defendant
JOSE AGUILAR SAUCEDO

21 DATED: March 21, 2023

22 By /s/ Todd D. Leras for
23 SHARI RUSK
24 Attorney for Defendant
ROSARIO ZAMORA ROJO

25
26
27
28 ORDER CONTINUING STATUS
CONFERENCE

ORDER

BASED ON THE REPRESENTATIONS AND STIPULATION OF THE PARTIES, it is hereby ordered that the status conference in this matter, scheduled for March 28, 2023, is vacated. A new status conference is scheduled for June 27, 2023, at 9:30 a.m. The Court further finds, based on the representations of the parties and the request of all defense counsel, that the ends of justice served by granting the continuance outweigh the best interests of the public and the Defendants in a speedy trial. Time shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(B)(iv) and Local Code T-4, to allow necessary attorney preparation taking into consideration the exercise of due diligence for the period from March 28, 2023, up to and including June 27, 2023.

IT IS SO ORDERED.

DATED: _____, 2023

HONORABLE DALE A. DROZD
UNITED STATES DISTRICT JUDGE

ORDER CONTINUING STATUS
CONFERENCE